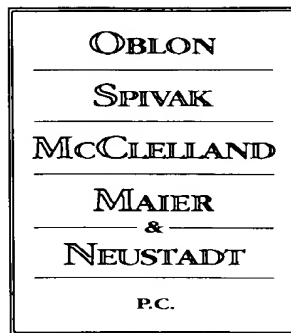




Docket No.: 212006US0

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231



ATTORNEYS AT LAW

STEPHEN G. BAXTER
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SBAXTER@OBLON.COM

TECH CENTER 1600/2900
OCT 11 2002
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RE: Application Serial No.: 09/933,742
Applicants: Elisabeth PICARD-LESBOUEYRIES
Filing Date: August 22, 2001
For: COMPOSITIONS COMPRISING A SAPOGENIN
AND A XANTHINE AND METHODS OF USING
THE SAME
Group Art Unit: 1615
Examiner: Bennett, R.

SIR:

Attached hereto for filing are the following papers:

Restriction Response

Our check in the amount of **-0-** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Stephen G. Baxter, Ph.D.

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212006US0



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IN RE APPLICATION OF: :
ELISABETH PICARD-LESBOUEYRIES : GROUP ART UNIT: 1615
SERIAL NO.: 09/933,742 :
FILED: AUGUST 22, 2001 : EXAMINER: BENNETT, R.
FOR: COMPOSITIONS COMPRISING A
SAPOGENIN AND A XANTHINE
AND METHODS OF USING THE SAME

RESTRICTION RESPONSE

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Restriction Requirement dated September 10, 2002, Applicants elect, with traverse, Group I, Claims 1-12.

REMARKS

The Examiner has required restriction of the present application as follows:

Group I -- Claims 1-12;

Group II - Claims 13-16;

Group III -- Claims 17-20.

Applicants have elected, with traverse, Group I, Claims 1-12.

Restriction is only proper if the restricted inventions are independent or patentably distinct (MPEP § 803). The burden is on the Examiner to provide adequate reasons and/or examples to support any conclusion of patentable distinctness between the restricted claims